

# GOVERNOR JUDSON HARMON OF OHIO

By A. V. ABERNETHY

**C**OLUMBUS, O.—[Special.]—When the bribery charges against members of the Ohio general assembly exploded with the suddenness and force of a bomb and sent scores on a hunt for lawyers Governor Judson Harmon took the same view of the personality of guilt that he did when he reported to President Roosevelt that Paul Morton, a member of his cabinet, had been guilty of granting rebates while an officer of the Santa Fe railroad. "Guilt is always personal," said Harmon to Roosevelt, and he resigned his commission to investigate rebating because Teddy was inclined to shield Morton.

A few hours after the bribery charges were filed the Ohio executive sent out an order that no man should be spared in the legislative hoodluming investigation. Party and even personal friendships must be set aside, the governor said, and the entire situation cleared up.

Throughout nineteen years of continuous control Republican state administrations, when charges of irregularities were made involving members of their party, assumed the attitude, "They are our thieves, and we must defend them." There is an Ohio statute which grants immunity to every

citizens had been demanding and pleading for in vain for decades.

The supremely important achievements of the Ohio Democracy under the leadership of Governor Harmon may be divided into transactions and legislations, first, for the elimination of graft; second, such reform in the tax system as will protect the taxpayer from the tax spender and will compel corporations to stop dodging taxes and pay along with all individual property owners; third, the application of business methods and economy in public expenditures, and, fourth, the enactment of purely non-partisan laws for the benefit of the entire people, irrespective of political parties, and designed to make rule by interest seeking corporations extremely difficult and rule by the people easy.

After he became governor two years ago Mr. Harmon quietly began his investigation of the methods by which public money had been looted by Republican state treasurers. He learned they put interest earnings in their pockets. There followed in rapid order suits against the estate and bondsmen of W. S. McKinnon, former state treasurer, for \$110,785 and interest thereon; against former State Treasurer I. B. Cameron and his bondsmen for \$211,721 and interest thereon. They were

vote for a Republican for United States senator if the people by their votes declared for a Republican," the governor told this committee during the conference. "I would be proud to do it. I would simply be doing the will of the people." One of the committee suggested the Oregon plan was undemocratic. The executive replied, "It's the very essence of Democracy to put the government back into the hands of the people and let them say whom they want for United States senator."

Governor Harmon took a new tack and had a similar measure offered in the house, the Wyman bill. That body passed it and sent it to the senate, where the governor finally got sufficient Republican votes to save it. Ohioans had demonstrations recently that their judiciary, one of the most sacred institutions of a free government, had been invaded by party bosses in their inordinate thirst for power. Instead of being places where the people could turn to invoke the penalties of the criminal statutes on those who had offended certain courts were being used, in cases where men of vast political power were concerned, to shield violators from the vengeance of the law.

But the general assembly took a long step forward from boss domination of the courts by enacting a bill providing in the future that all Ohio judges, from the dignified gowned justices of the supreme court down to the humble laymen who sit as justices of the peace, shall be elected on tickets absolutely free from party emblem or device. Nominations may be made by conventions, but the power of bosses to control nominations was broken by a clause in the bill which says that nominations may be made by petitions. There is not another such law in the United States.

Ohio has been hampered by the crude, unwieldy machinery of a constitution which was adopted in 1851, and the subject of making a new organic law is the biggest and most important proposition that has come before a Buckeye general assembly in many years. Selfish hands were being outstretched to get control of the constitutional convention to be held in 1912 when Governor Harmon took charge of the arrangements for it and succeeded in getting through the general assembly a bill which will remove the delegates from political influence and make them responsible to the people only. So well did he manage the campaign that Ohio will set a precedent for all other states to follow when they come to rewrite their organic laws.

Nominations of delegates will be made by petition only, and nominees will be elected on ballots absolutely free from party device or emblem of any form of party designation. The liquor question, which has been a sore spot in Ohio for sixty years, will be finally settled when the new constitution is adopted.

The state when Governor Harmon grasped the reins of government had nineteen penal, reformatory and benevolent institutions, with the responsibility of governing them divided among nineteen separate boards of trustees, three members to a board. They were so conducted as to secure neither economy nor best results.

These trusteeships, all honorable positions and eagerly sought after, had been used as a sort of currency to purchase nominations and to repay the boys who had delivered votes in conventions. The trustees appointed superintendents and all subordinates, and these combined to furnish the dynamic power for the steam roller which the late Mark Hanna and Boss George B. Cox used to crush the life out of rebellions against the rule of the G. O. P. machine.

Governor Harmon's idea was that "the establishments which a Christian state maintains for charity are sacred and that every selfish purpose should perish at their doors."

Acting on this principle, the governor framed and forced through the general assembly a bill placing all employees of the institutions ranking below superintendent under civil service rules. The nineteen separate boards of trustees and nineteen stewards under this law were legislated out of office, and the duties of the fifty-seven trustees

compelling all Ohio political divisions to purchase such supplies as they need from the penal institutions.

Employers and employees locked in a struggle over a workmen's compensation act, and when it seemed there would be no bill passed Governor Harmon stepped in and acted as arbitrator. A bill was framed and drafted that has been approved by both employees and employers.

The compulsory provisions which made the New York act unconstitutional were not incorporated into the Ohio act. Instead the employer could elect either to pay into the compensation fund or not to pay. If he should not avail himself of the law, however, the employee may sue for damages for injuries, or his legal representative in case of death may maintain the action. And in such suits the employer is deprived of the common law defenses of fellow servant rule, assumed risk and contributory negligence.

The employee cannot resort to the courts for damages when injured in the factory of a corporation which pays into the state compensation fund except when the injury is caused by the disregard of a law, ordinance or order issued by an authorized public officer providing for the protection of employees or by the willful wrong of an employer, his officer or agents.

The employer contributes 90 per cent of the compensation fund and the employees 10 per cent. Awards range from \$3,400 to \$1,500 and are graded on the scale of wages paid employees.

The taxing laws of the state were a joke when Mr. Harmon was inducted into office and the taxpayers had no means to check extravagance of their public officers. These men decided on the amount of money they were going to spend in a year and then made a levy to produce that amount. Taxpayers could do nothing but pay.

"The authority which demands must be curbed," said the executive in a message to the general assembly. That body obeyed and passed the Smith bill which limited the maximum tax rate that could be levied by public officers in each district to 1 per cent of tax duplicates. That was sufficient, the governor held, for an economical administration. If more money were needed there was incorporated in the Smith bill a provision for a referendum vote on a higher rate.

There were a large number of taxing boards composed of various state officers with jurisdiction over excise and other corporate taxation, but different boards were made up of different officers so that there could be no uniform and consistent action. Auditors in eighty-eight Ohio counties had nearly eighty-eight different rules of appraising property, with the result that no one got a square deal.

Governor Harmon had a bill drafted to abolish all these boards and to place the entire taxing machinery of the commonwealth in the hands of a single state commission of three members. Other new tax laws make it possible to chase out of hiding millions of dollars of property and also strengthen and broaden the inquisitorial powers of the state tax commission.

Ohioans expected big things from Judson Harmon when they elected him their governor. The achievements of the Democratic general assembly show the expectations of the people have been realized. He had been a leading attorney for years, but a search of his record disclosed Harmon, while he had corporations among his clients, had never given his talents to appear in a court suit against the people. As an attorney general of the United States he had proved to be a friend of the people, fighting through court cases which established the foundation of all jurisprudence on the anti-trust subject. In private life he was recognized as one of the ablest lawyers in Ohio.

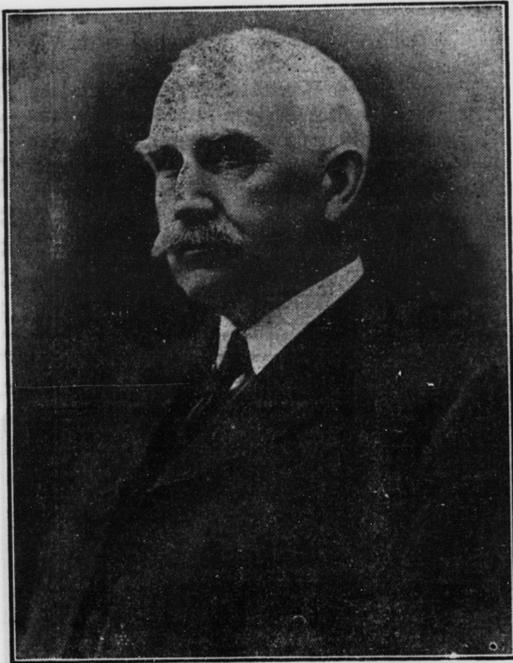
In February, 1910, ten months before the state election in Ohio, when Judson Harmon would go before the people for re-election, Ohio Republicans by order of President Taft held a harmony meeting in Dayton. The Republicans at Dayton did not talk of helping President Taft or of restoring the Republican party; they talked about the chance of defeating Governor Harmon, and they did not talk hopefully. Unconsciously they paid a patent tribute to the real strength of the man. It suddenly revealed the tremendous success of Governor Harmon and his complete mastery of the political situation in Ohio. The plan of opposition outlined in Dayton has never ceased. No governor has ever been opposed by so strong a force as Governor Harmon.

During his first term of two years a Republican general assembly to discredit him reduced the treasury balance \$2,652,553.68 by making appropriations exceed revenues and also created obligations amounting to \$2,000,000 more by deciding to build new structures for state institutions. When the revenues were reduced \$500,000 a year by voting out saloons and several hundred thousands of dollars were added to the wrong column by the abolishment of prison labor contracts Harmon's arms were apparently tied, and his enemies laughed at his discomfort.

The governor promptly reduced public expenditures. Then, instead of a general levy, the proper enforcement of the excise laws provided \$500,000 additional every year. The establishment of a market for prison manufactured goods and the concentration of authority over nineteen state institutions is expected to add another \$500,000 to the state revenues. Thus was the situation met and the state restored to a sound financial basis without any additional burdens being imposed on the people who are least able to be further taxed.

Voters like to support clean and able men, as has been demonstrated in many localities where the electors dis-

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HON. JUDSON HARMON, GOVERNOR OF OHIO.

one who testifies before a legislative committee, and this law, together with a whitewash brush, had prevented any Republican law violator from being haled before a court of justice.

Naturally there was a great rush by distraught members for legislative immunity. But Governor Harmon promptly pulled the plug of the immunity bathtub and prevented any one bathing in its soothing waters by insisting that no legislative investigating committee be appointed and that the inquest of the grand jury be the only probe.

Indictments were returned against seven members of the general assembly and the sergeant-at-arms of the senate, and these cases will take the same course as that of the most humble citizen who becomes involved in criminal charges. A coterie of Democrats who had been fighting the governor's bills were among the members indicted.

In less than three years of his administration Governor Harmon has made a record of accomplishment unparalleled in the history of Ohio politics. He has wrought more progress for the people than was accomplished in the forty years that preceded him. There has been written into the statutes legislation that the enlightened

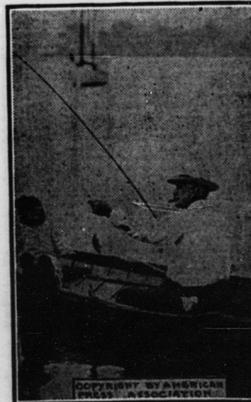
Republicans. Another graft investigation brought forth the exposure, prosecution and conviction of Mark Slater, former Republican state printer, on graft charges in lesser degrees; the settlement of an interest claim of over \$5,700 on funds carried in the bank for former Republican State Auditor Walter D. Guilbert and the filing of a claim for over \$31,000 with the receiver of a defunct bank at Columbus as an interest charge on funds carried in that bank by Mr. Guilbert as auditor.

These revelations during the governor's first term awakened the civic conscience and paved the way for his subsequent re-election. The Democrats captured the general assembly at the same time.

Then Governor Harmon renewed his efforts in behalf of certain bills two Republican general assemblies denied him.

The most notable achievement accomplished by the executive during the legislative session was the enactment of the Wyman bill, including the Oregon plan of nominating and electing United States senators.

A conference committee was appointed to frame a compromise senatorial nomination and election bill. "I would



GOVERNOR HARMON CATCHES FISH AS WELL AS VOTES.

were placed in a single board of four, while a single fiscal agent replaced the nineteen stewards.

The advantage of purchasing supplies for all institutions in bulk and the reduction in employees will save the state \$500,000 a year. This law makes it possible to utilize the work of prisoners and also creates a market for their manufactured products by

## SOME HARMON EPIGRAMS

Guilt is always personal. I would vote for a Republican for United States senator if the people by their votes declared for a Republican, and I would be proud to do it, for I would simply be doing the will of the people.

The party emblem in municipal elections is an aid to the ignorant and those who corrupt voters and no help to upright and intelligent electors. Both parties would be better off if they were kept out of purely municipal elections.

The people who support the government have to economize. Why should their public servants not do the same? It is not the existence or discovery of wrongdoing that brings shame to a state, but failure to put a stop to it.

We must make the state government more broadly useful, for its powers are ample to grapple with many things which have been developed by new conditions.

There can be no right so long as the interests which profit through tariff laws are allowed to frame them.

A lawyer's honor is his crown, and no hand but his own can ever discover him.

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